
Appeal Decision

Site visit made on 2 March 2015

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 March 2015

Appeal Ref: APP/X5210/A/14/2229182
Flat D, 28 Priory Road, London, NW6 4SJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Alessandra Vota against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/4836/P, dated 25 July 2014, was refused by notice dated 15 September 2014.
 - The development proposed is described as "adaptation of existing third floor flat roof into an accessible roof terrace through the replacement of windows within the rear facing existing dormer with folding double doors. Movement of existing skylight in third floor bathroom on south face of roof to the north face and its replacement with a small side dormer window, with obscured glazing. Reinstatement of previously existing window in second floor kitchen in an altered location and creation of window in existing second floor bathroom; both windows to have obscured glazing".
-

Decision

1. The appeal is allowed and planning permission is granted for adaptation of existing third floor flat roof into an accessible roof terrace through the replacement of windows within the rear facing existing dormer with folding double doors. Movement of existing skylight in third floor bathroom on south face of roof to the north face and its replacement with a small side dormer window, with obscured glazing. Reinstatement of previously existing window in second floor kitchen in an altered location and creation of window in existing second floor bathroom; both windows to have obscured glazing at Flat D, 28 Priory Road, London, NW6 4SJ in accordance with the terms of the application, Ref 2014/4836/P, dated 25 July 2014, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P0000B, P0001A, P0104B, P0105B, P0106B, P0200B, P0201B, P0300B, P0301B, P1104C, P1105C, P1106C, P1200C, P1201C, P1300C and P1301C.

Preliminary Matter

2. I have used the site address contained in the appeal forms rather than the planning application as this more accurately describes the site.

Main Issue

3. The main issue is whether the proposed roof terrace would preserve or enhance the character or appearance of the Priory Road Conservation Area.

Reasons

4. The appeal property is a second and third floor flat contained within a substantial double fronted detached building which accommodates a number of dwellings. The rear elevation incorporates a range of protrusions with flat roofs above, as do the neighbouring buildings. I noted during my visit that a number of these flat roofs were accessible and in use as roof terraces, including on the lower floors of the appeal building.
5. Although the presence of balustrades and domestic paraphernalia were evident, they have become established features at the rear of the building and adjacent terrace. The proposed roof terrace would be located at third floor level where a dormer window already overlooks the flat roof area, requiring minimal alteration to allow access. Furthermore, the balustrades would be set back from the edge of the building, minimising its visual impact when viewed from the oblique angle available from ground level and lower floors.
6. Whilst the balustrades would be visible from buildings on Priory Terrace and on glimpsing views between buildings, the roof terrace would by no means be prominent. It would be seen in the context of the other roof terraces nearby and the balustrades surrounding the second floor balcony below, albeit in a more contemporary glazed style. In this context, the proposed roof terrace would not appear discordant or visually intrusive. As such, the development would preserve the character or appearance of the conservation area.
7. Therefore, I find no conflict with Policy CS14 of the Camden Core Strategy 2010-2025 (2010), which requires good design that reflects local context and character, with particular regard to the preservation of heritage assets; or Policies DP24 and DP25 of the Camden Development Policies 2010-2025 (2010), which requires consideration of the character and proportions of the existing building and the quality of the proposed materials, as well as the character, setting, context, scale and form of neighbouring buildings, with particular regard to maintaining the character of conservation areas. Furthermore, I find no harmful conflict with the detailed design advice contained within the Camden Planning Guidance, Design (2013).
8. The Council has not suggested any conditions in the event that planning permission is granted. However, I have attached a requirement for the development to accord with the approved plans for the avoidance of doubt.
9. In light of the above, and having considered all other matters, the appeal is allowed.

Michael Boniface

INSPECTOR